

Ch. 106 60TH LEGISLATURE—REGULAR SESSION

the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

Passed by the House on March 20, 1967, by a non-record vote; passed by the Senate on April 20, 1967: Yeas 31, Nays 0.

Approved May 4, 1967.

Effective Aug. 28, 1967, 90 days after date of adjournment.

WATER RIGHTS—SALE BY CORPORATIONS

CHAPTER 107

H. B. No. 140

An Act repealing Articles 7546 and 7553, Revised Civil Statutes of Texas, 1925, relating to the power of a Texas corporation to sell permanent water rights and to lease or rent water; repealing Article 7552, Revised Civil Statutes of Texas, 1925, relating to chartering a corporation for the purpose of constructing, operating, and maintaining improvements for storing and delivering water; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The following laws are repealed: Articles 7546,⁴² 7552,⁴³ and 7553,⁴⁴ Revised Civil Statutes of Texas, 1925.

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended.

Passed by the House on March 13, 1967, by a non-record vote; passed by the Senate on April 20, 1967: Yeas 31, Nays 0.

Approved May 4, 1967.

Effective Aug. 28, 1967, 90 days after date of adjournment.

WATER RIGHTS COMMISSION—RULINGS—REVIEW

CHAPTER 108

H. B. No. 167

An Act relating to abandonment of an action filed for review of a ruling, order, act, or failure to act by the Texas Water Rights Commission; amending Subsection (a) of Section 12, Article 7477, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Subsection (a) of Section 12, Article 7477, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 296, Acts

42. Vernon's Ann.Civ.St. art. 7546 repealed. 44. Vernon's Ann.Civ.St. art 7553 repealed.

43. Vernon's Ann.Civ.St. art. 7552 repealed.

of the 59th Legislature, Regular Session, 1965, is amended ⁴⁵ to read as follows:

"(a) Any person affected by the ruling, order, decision, or other act of the Commission, may, within 30 days after the date on which such act is performed, or, in case of a ruling, order, or decision, within 30 days after the effective date thereof, file a petition in an action to review, set aside, modify, or suspend such ruling, order, decision, or other act. Any party affected by the failure of the Commission to act in a reasonable time upon an application to appropriate water, or to perform with reasonable promptness any other duty imposed by this Chapter, may file a petition in an action to compel the Commission to show cause why it should not be directed by the court to take immediate action. The venue in any or all such actions is hereby fixed exclusively in the District Court of Travis County, Texas. The plaintiff shall pursue his action with reasonable diligence. If the plaintiff does not secure proper service of process, or does not prosecute his action within one year after the action is filed, the court shall presume that the action has been abandoned. The court shall dismiss the suit on a motion for dismissal made by the Attorney General unless the plaintiff after receiving due notice can show good and sufficient cause for the delay."

Sec. 2. The fact that the Commission may now be harassed by dilatory action on appeals from its decisions; the importance of this legislation; and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

Passed by the House on March 7, 1967, by a non-record vote; passed by the Senate on April 20, 1967: Yeas 31, Nays 0.

Approved May 4, 1967.

Effective Aug. 28, 1967, 90 days after date of adjournment.

WATER DEVELOPMENT BOARD—UNDERGROUND WATER SUPPLY—STUDIES

CHAPTER 109

H. B. No. 171

An Act relating to the duties to be performed by the Texas Water Development Board; amending Section 1, Chapter 37, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 7537a, Vernon's Texas Civil Statutes); and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 1, Chapter 37, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 7537a, Vernon's Texas Civil Statutes), as amended by Section 1, Chapter 443, Acts of the 57th Legislature, Regular Session, 1961, is amended ⁴⁶ to read as follows:

"Section 1. The Texas Water Development Board is authorized and empowered to make and have made studies and investigations of and reports on the physical characteristics of water-bearing formations and

45. Vernon's Ann.Civ.St. art. 7477, § 12 46. Vernon's Ann.Civ.St. art. 7537a.
(a).